IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

-

WRIT PETITION NO : 22745 of 1994

Between:

1.Miralam Kistaiah, S/o. Narsaiah,r/o. Chatrakanigudem,

Hamlet of Kondamadugu Village, Bibinagar Mandal,

Nalgonda District, A.P.
2.Baddam Malla Reddy, S/o. Dharma Reddy, r/o. Chatrakanigudem, Hamlet of Kondamadugu Village, Bibinagar Mandal,

Nalgonda District, A.P.
3.Vakiti Bal Reddy, S/o. Laxma Reddy r/o. Chatrakanigudem,

Hamlet of Kondamadugu Village, Bibinagar Mandal,

Nalgonda District, A.P.
4.Palle Balram Reddy, S/o. Laxma Reddy, r/o. Chatrakanigudem, Hamlet of Kondamadugu Village, Bibinagar Mandal,

Nalgonda District, A.P.
5.Dataru Laxmaiah S/o. Narsaiah, R/o. Rangapur Village,

Bibinagar Mandal, Nalgonda District, A.P.
6.Dataru Pochaiah S/o. Narsaiah, R/o. Rangapur Village,

Bibinagar Mandal, Nalgonda District, A.P.
7.Thummala Narender Reddy S/o. Achaiah, R/o. Rangapur Village, Bibinagar Mandal, Nalgonda District, A.P.
8.Chalmala Ramaswamy S/o. Balaiah
R/o. Rangapur Village, Bibinagar Mandal, Nalgonda District, A.P.
9.Kavali Dataru Pochaiah S/o. Laxmaiah, R/o. Rangapur Village, Bibinagar Mandal, Nalgonda District, A.P.
10.Kavali Dataru Mysaiah S/o.Ramaiah, R/o. Rangapur Village, Bibinagar Mandal, Nalgonda District, A.P.
11.Kavali Dataru Narsimha S/o. Laxmaiah, R/o. Rangapur Village, Bibinagar Mandal, Nalgonda District, A.P.
12.Kavali Dataru Laxmaiah S/o. Laxmaiah, R/o. Rangapur Village, Bibinagar Mandal, Nalgonda District, A.P.
13.Yangalla Yallamma W/o. Laxmaiah, R/o. Rangapur Village, Bibinagar Mandal, Nalgonda

District, A.P.
14.Kadigalla Pochaiah, S/o. Mallaiah, R/o. Rangapur Village, Bibinagar Mandal, Nalgonda District, A.P.
15.Kadigalla Narsimha S/o. Mallaiah, R/o. Rangapur Village, Bibinagar Mandal, Nalgonda District, A.P.

16.Dataru Achaiah S/o. Narsaiah, R/o. Rangapur Village,

Bibinagar Mandal, Nalgonda District, A.P.
17.Burri Gangaiah S/o. Pochaiah, R/o. Rangapur Village,

Bibinagar Mandal, Nalgonda District, A.P.
18.Burri Yadagiri S/o. Pochaiah, R/o. Rangapur Village,

Bibinagar Mandal, Nalgonda District, A.P.
19.Thummala Narsimha S/o. Nagaiah, R/o. Bibinagar Village

and Mandal, Nalgonda District, A.P.
20.Thummala Yadagiri S/o. Nagaiah, R/o. Bibinagar Village

and Mandal, Nalgonda District, A.P.
21.Thummala Mallesha S/o. Nagaiah, R/o. Bibinagar Village and Mandal, Nalgonda District, A.P.
22.Thummala Sathamma W/o. Sathaiah, R/o. Bibinagar Village and Mandal, Nalgonda District, A.P.
23.Thummala Yadi Reddy S/o. Narayana, R/o. Bibinagar Village and Mandal, Nalgonda District, A.P.
24.Yampally Kistaiah S/o. Ramaiah, R/o. Bibinagar Village and Mandal, Nalgonda District, A.P.
25.Chakali Balaiah S/o. Venkaiah, R/o. Bibinagar Village and

Mandal, Nalgonda District, A.P.
26.Chakali Sathaiah S/o. Venkaiah, R/o. Bibinagar Village and Mandal, Nalgonda District, A.P.
27.Chakali Kadaiah S/o. Narasaiah, R/o. Bibinagar Village and Mandal, Nalgonda District, A.P.
28.Chakali Narsimha S/o. Narasaiah, R/o. Bibinagar Village and Mandal, Nalgonda District, A.P.
29.Chakali Satyanarayana S/o. Narasaiah, R/o. Bibinagar Village and Mandal, Nalgonda District, A.P.

All are rep. by their GPA Holder,

Palle Bala Bhaskar Reddy S/o. Palle Bal Reddy,

24 yrs, Occ. Agrl. R/o. Chatraka nigudem, Hamlet of

Kondamadugu Village, Bibinagar mandal, **..... PETITIONERS**

AND

1.Mandal Revenue Officer, Bibinagar Mandal,

Bibinagar, Nalgonda District.
2.Sub-Collector, Bibinagar, Nalgonda District.
3.District Collector, Nalgonda District, Nalgonda.
4.Village Administrative Officer, Rangapur Village,

having his Office at Bibinagar, Nalgonda District.
5.A.P. Bhoodan Yagna Board, rep. by its Chairman,

having its office at Gandhi Bhavan,
M.J. Road, Hyderabad. **.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to send for the records connected with the proceedings No.B/92/94 dated 23-5-1994 issued in a Cyclostyled form to all the petitioners herein and quash the said proceedings by the issuance of a Writ of Certiorari.

Counsel for the Petitioner: MR.R.V.NAGABUSHNAM RAO

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

ORDER:

Heard learned Counsel for the parties.

The petitioners challenged the order of the first respondent dated 23-5-1994, cancelling the patta in their favour. The dispute primarily is whether the land in dispute was assigned by the Bhudan Board or it is the land for which the petitioners have title.

These questions cannot be decided in this writ petition. In Civil Appeal No.4012 of 1999, which is a matter of similar nature, the Supreme Court also ultimately directed the parties to approach the Civil Court for establishment of their title.

In these circumstances, writ petition is disposed of. At this stage, it is pointed out that suits are already pending before the Civil Courts at Nalgonda. Parties may agitate their grievance before the Civil Court. Disposal of this writ petition shall not be an impediment for the Civil Court to go into all questions raised before it and decide those questions on merit. No costs.

2nd September, 2004

LUR

Copy to:

1.The Mandal Revenue Officer, Bibinagar Mandal,

Bibinagar, Nalgonda District.
2.The Sub-Collector, Bibinagar, Nalgonda District.
3.The District Collector, Nalgonda District, Nalgonda.
4.The Village Administrative Officer, Rangapur Village,

having his Office at Bibinagar, Nalgonda District.
5.The Chairman,

A.P. Bhoodan Yagna Board,

having its office at Gandhi Bhavan,
M.J. Road, Hyderabad.

6.Two CCs to the G.P. for Revenue,

High Court Buildings, High Court of A.P.,

Hyderabad (O.U.T.)

7. Two CD copies.

8.Prl. District Court, Nalgonda.

9.Subordinate Judge’s Court, Nalgonda.